

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6452

BILL NUMBER: SB 293

NOTE PREPARED: Apr 6, 2007

BILL AMENDED: Apr 5, 2007

SUBJECT: Voter Registration.

FIRST AUTHOR: Sen. Landske

FIRST SPONSOR: Rep. Pierce

BILL STATUS: CR Adopted - 2nd House

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
☐ **FEDERAL**

IMPACT: State & Local

Summary of Legislation: (Amended) The bill makes the following changes:

Voter Registration List Maintenance- Defines "active" and "inactive" voters for purposes of voter list maintenance programs.

Registration Deadlines- Clarifies the registration deadline applicable to certain military and overseas voters.

Contents of Reports- Specifies the contents of statewide voter registration system reports.

Voter List Mailings/Returns- Provides that if a voter list maintenance mailing is returned by the U.S. Postal Service or is responded to by a voter during the final 90 days before an election, the response or return shall be processed when registration reopens following the election.

Registration Records Update- Requires that county voter registration records be updated to reflect voter history and other information set forth on precinct polling place lists not later than 60 days after election day or after completion of a recount or contest.

Paper Copies of Cancelled Registration Records- Establishes procedures for processing paper copies of voter registration applications requesting the cancellation of a voter's registration record in another Indiana county.

Registration By Mail- Specifies the periods during which certain first-time voters who register by mail within an Indiana county are to provide additional documentation as required by federal law. (After the establishment of the statewide voter registration system in 2006, this requirement applies only to certain first-

time voters who register by mail within Indiana.)

New Registration Applications- Requires the precinct inspector to request that a voter who is casting a regular ballot at the polls using certain fail-safe procedures complete a new voter registration application.

State Department of Health Fees- Provides that an individual who does not have an Indiana driver's license and will be at least 18 years of age by election day may not be charged a fee by the State Department of Health for a birth record search or for the issuance of a birth certification if the record is found, or charged a birth problems registry fee.

No Excuse Absentee Voting- The bill permits a voter who is qualified to vote in person to vote by absentee ballot. The bill removes all other qualifications for a voter to vote by absentee ballot except for a voter with disabilities who is unable to make a voting mark on the ballot or sign the absentee ballot secrecy envelope. (Such a disabled voter is currently required to vote before an absentee voter board.)

Examination of Voter's Votes- The bill requires that a voting system purchased, leased, or lease purchased after April 30, 2007, must permit a voter to examine the paper record of the voter's votes to verify the voter's votes.

Hand Count Audits of General Election- The bill requires an audit of certain elections held during a general election to hand count certain statistical samples of votes cast during the election.

Beginning Date of Absentee Voting- The bill makes the beginning date of absentee voting in the clerk's office or a satellite office one day later than under current law.

Census Data Advisory Committee- The bill requires the Census Data Advisory Committee to study the possibility of changing the current voting systems to conducting all elections by mail-in ballots and to assess the results of permitting voters to cast absentee ballots without requiring voters to state a reason for casting absentee ballots.

Repealer & Technical Changes- Repeals obsolete statute concerning military and overseas voters. The bill makes technical changes.

Effective Date: Upon passage; July 1, 2007.

Explanation of State Expenditures: (Revised) *Hand Count Audits of General Election-* The Election Commission would be required to conduct audits of elections for Presidential electors and at least one election for state office. Audits would have to be conducted after each general election. The Commission would have to issue a report on findings from the audits.

The cost to conduct audits would depend on the selection sample size, the number of offices audited, and whether audits could be done within existing staff or would require contracting with a temporary or specialized election service.

The funds and resources required above could be supplied through a variety of sources, including the following: (1) existing staff and resources not currently being used to capacity; (2) existing staff and resources currently being used in another program; (3) authorized, but vacant, staff positions, including those positions that would need to be reclassified; (4) funds that, otherwise, would be reverted; or (5) new

appropriations. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend upon legislative and administrative actions.

Background- The Office of Secretary of State reverted \$149,755 to the General Fund at the end of FY 2006. The Indiana Election Commission, under which the Election Division operates, reverted \$55,072 to the General Fund at the end of FY 2006. The Election Division had printing costs of about \$23,116 in FY 2006. The Division had 11 full-time employees and three vacancies as of October 3, 2006.

(Revised) *Census Data Advisory Committee (CDAC)*- CDAC would be able to carry out the required study within their existing resources. The CDAC had an operating budget of \$9,000 during the 2006 interim.

Explanation of State Revenues: *State Department of Health Fees*- Indiana residents without a valid driver's license and at least 18 years of age at the next general, municipal, or special election would not have to pay fees for certification or amendment of birth records. There would likely be an indeterminable revenue loss to the state from this provision.

Background- Under current law, the State Department of Health charges an \$8 fee to search for records within the division of vital records. One free certification is provided and a fee of \$4 is charged per additional certification. An additional \$8 fee is charged if an amendment is made to the found record. Search and amendment fees are placed in the state General Fund. A separate \$2 fee is charged for each birth record search and deposited into the Birth Problems Registry Fund.

As of January 2006, there were approximately 4.03 M licensed drivers. In CY 2005 the state population of individuals aged 18 or greater was about 4.5 M. Therefore, about 0.47 M persons residing in Indiana could be affected by this provision, or about 10.4% of the state population age 18 or greater. Based on the amount of revenue generated by the \$2 birth problems registration fee (\$106,668 in FY 2006), approximately 53,300 birth records were searched in FY 2006. From FY 2002 to FY 2006 the number of searches increased on average by about 14% per fiscal year.

Explanation of Local Expenditures: The bill would present additional responsibilities for county voter registration offices and precinct election board inspectors. Although the added responsibilities would require additional time to administer, the existing level of local resources should be sufficient to implement them.

(Revised) *No Excuse Absentee Voting*- This provision would increase the number of absentee ballots produced. The specific impact of this provision would depend on the additional number of absentee ballots printed by each county election board.

Background- During the 2004 general election 260,550 voters voted via absentee or about 10.4% of total voters voting. The 2006 primary election saw 61,345 voters voting absentee or about 7.2% of total voters voting.

(Revised) *Examination of Voter's Votes*- This provision could affect future voting system purchases or leases if systems were required to provide a definite paper trail. This provision would affect voting systems purchased or leased after April 30, 2007.

(Revised) *Beginning Date of Absentee Voting*- This provision would allow county election boards to more efficiently process voter registrations received on the last day of voter registration, which under current law coincides with the first day of absentee voting before the board.

Explanation of Local Revenues:

State Agencies Affected: Election Division; State Department of Health.

Local Agencies Affected: County voter registration offices; Precinct election boards.

Information Sources: U.S. Bureau of Census; Bureau of Motor Vehicles website and Cash Audit Branch Count Report, December 2003; *Indiana Handbook of Taxes, Revenues, and Appropriations FY 2006*.

Fiscal Analyst: Chris Baker, 317-232-9851.